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Patent  
Attorney's Docket No. 006602-113

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                               |   |                        |
|-------------------------------|---|------------------------|
| In re Patent Application of   | ) |                        |
|                               | ) |                        |
| Margaret K. ESSENBERG et al.  | ) | Group Art Unit: 1646   |
|                               | ) |                        |
| Application No.: 10/067,534   | ) | Examiner: Unassigned   |
|                               | ) |                        |
| Filed: February 7, 2002       | ) | Confirmation No.: 7840 |
|                               | ) |                        |
| For: cDNA Clone of (+)-DELTA- | ) |                        |
| CADINENE-8-HYDROXYLASE GENE   | ) |                        |
| FROM COTTON PLANTS            | ) |                        |
|                               | ) |                        |

**TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION**

**BOX: MISSING PART**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(b) dated April 12, 2002, enclosed please find:

- ☒ a Combined Declaration and Power of Attorney signed by the inventor(s) and the surcharge of ☐ \$65.00 (205) ☒ \$130.00 (105) as set forth in 37 C.F.R. § 1.16(e);
- ☐ Note that the inventor(s) identified on the currently filed Combined Declaration and Power of Attorney are different from those listed on the application filing papers.
- ☐ a Request for Refund;
- ☐ a Petition for Extension of Time;
- ☐ a verified English translation of the Application, and the \$130.00 (139) fee as set forth in 37 C.F.R. § 1.17(k);
- ☐ an Assignment document and a separate check for the \$40.00 (581) Assignment recordation fee;
- ☐ drawings for publication;
- ☒ other: a Preliminary Amendment, a paper copy of Sequence Listing, a diskette containing the Sequence Listing, a Declaration Pursuant to 37 C.F.R. §§ 1.821-

(05/02)

1.825, an Information Disclosure Statement Transmittal, an Information Disclosure Statement, a PTO Form 1449 I and one (1) reference, and a copy of the Notice to File Missing Parts of Nonprovisional Application;

- ☒ a check in the amount of \$ 870.00 for the fee due for missing parts; and  
☐ charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due for missing parts.  
☐ Small entity status is hereby claimed.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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(703) 836-6620

By: 

Teresa Stanek Rea  
Registration No. 30,427

Date: June 12, 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE       | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------------|-----------------------|------------------------|
| 10/067,534         | JUN 12 2002<br>02/07/2002 | Margaret K. Essenberg | 006602-113             |

CONFIRMATION NO. 7840

## FORMALITIES LETTER



\*OC000000007856079\*

George A. Hovanec, Jr.  
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P.O. Box 1404  
Alexandria, VA 22313-1404

Date Mailed: 04/12/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

05/17/2002 ZJUHARI 00000037 10067534

Filing Date Granted

03 FC:101 740.00 OP  
02 FC:105 130.00 OP

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).


- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE